

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA
CLARKSBURG DIVISION

JO A. PERINE,
Plaintiff,
v.

JUDGMENT IN A CIVIL CASE

Case Number: 1:08-CV- 176

COMMISSIONER OF SOCIAL SECURITY,
Defendant.

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED as follows: **ORDERED** that Magistrate Judge Kaull's Report and Recommendation is accepted in whole. **GRANTS** Plaintiff's Motion for Summary Judgment. **DENIES** Commissioner's motion for Summary Judgment. Plaintiff's claim is **REMANDED** to the Commissioner for further proceedings and consistent with the recommendations made by Magistrate Judge Kaull in his June 22, 2009 R & R. This civil action is **DISMISSED, WITH PREJUDICE** and **RETIRED** from the docket of this Court.

July 9, 2009

WALLY EDGELL, Ph.D., Clerk
By J. Musgrave
Deputy Clerk